IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE FOURTEENTH DAY OF JULY
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE S.ANANDA REDDY

WRIT PETITION NO : 11947 of 2004

Between:

G.Krishna Kumari W/o. Subrahmanaym
R/o. Chilakampalli Peddur Village Chakrayapet Mandal,
Kadapa District.

..... PETITIONER

AND

1 The Joint Collector, Kadapa District Kadapa 516001.
2 The Revenue Divisional Officer Kadapa Kadapa District.
3 The Mandal Revenue Divisional Officer Chakrayapet Mandal,
Kadapa District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ, order or direction more particularly one in the nature of writ of Mandamus declaring the action of the respondents particularly the 1st respondent in not passing any orders on the interlocutory application submitted by the petitioner along with the appeal on 5.7.2004 against the suspension order passed by the 2nd respondent in his Rc.C./325/2004 dated 19.6.2004 though the suspension order is politically motivated and without any notice or enquiry and made for extraneous consideration as illegal, unjust arbitrary and dilatory and against statutory provisions and consequently direct the 1st respondent to pass positive orders in the interlocutory application filed on 5.7.2004 along with the appeal against the orders of the 2nd respondent in his Ref.C/325/2004 dated 19-6-2004 and pass.

Counsel for the Petitioner: MR.L.J.VEERA REDDY

Counsel for the Respondent No.: GP FOR CIVIL SUPPLIES

The Court made the following ORDER:

This writ petition is filed by the petitioner aggrieved by the action of the first respondent in not passing any order in the appeal or in the stay petition.

2. According to the petitioner, she was appointed as a permanent Fair Price Shop Dealer. But, however, the second respondent initiated proceedings against her at the instance of the local MLA, who has addressed a letter making certain allegations not only against the petitioner but also with reference to some other similarly placed authorized dealers. Basing on that the Mandal Revenue Officer obtained an enquiry report from the Mandal Revenue Inspector, who has reported certain alleged irregularities. Hence, the authorization of the petitioner was suspended pending enquiry.

3. According to the learned counsel for the petitioner, there was no proper enquiry at all. Therefore, the petitioner filed the appeal and sought for stay of the suspension order. But, however, the first respondent did not pass any order so far. Hence, the present writ petition.

4. Heard learned counsel for the petitioner and the learned Government Pleader for Civil Supplies.

5. As the appeal has already been filed before the first respondent, the first respondent is directed to dispose of the appeal expeditiously, preferably within a period of three months. Pending disposal of the appeal, the respondents are directed to continue the petitioner as Fair Price Shop Dealer for distribution of essential commodities.

6. The writ petition is accordingly disposed of at the admission stage.

14.07.2004

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To
1 The Joint Collector, Kadapa District, KADAPA - 516 001.
2 The Revenue Divisional Officer, Kadapa, Kadapa District.
3 The Mandal Revenue Officer, Chakrayapet Mandal, Kadapa District
4 Two CCs to G.P. for Civil Supplies, High Court of A.P. Buildings, Hyderabad (OUT)
5 Two CD Copies